

**EMERGENCY MEDICAL SERVICES COUNCIL
MINUTES
January 25, 2002
1647 E. Morten, Training Room**

Members Present: Dr. Garth Gemar (Chairman), Mark Stroh, Dr. Kay Lewis, Jan Hauk, Roy Ryals, Scott Butler, David Cheney, Dr. Michel Sucher, Dr. Richard Carmona, Rich Thacher, Gitti Silven, Marilyn Price, Dr. Jim McLaughlin, Mark Venuti, Bob Ramsey, J. Marty Dernier, Nancy Shaver, Dr. Peter Vann, Ed Neville, Patty Seneski, Dr. Robert Vavrick, and Dave Samuels.

Members Absent: Wes Powell, Pat Andrews, Therese Williamson (Dunn), Charlie Smith and Dr. Michael Ward.

Guests Present: Catherine Eden, Rose Conner, Janine Anderson, Taylor Payson, Stephen Powles, Kevin Ray, Jim Roeder, Holly Gibeaut, Kevin Keeley, Paul Coe, Joyce Webber, Paula David, Dr. Toni Brophy, and Jerry Stein.

BEMS Staff Present: Victor Dominguez, Dona Marie Markley, Pennie Klein, Peggy Lahren, Betty Yunick, Susan Nicolas, Robin Clark, Dr. Judi Crume, Ralph Graves, Howard Schwartz, and Donna Meyer.

I. CALL TO ORDER

The Vice Chairman, Dr. Sucher, called the regular meeting of the Emergency Medical Services Council to order at 9:05 a.m. A quorum was present.

II. DISCUSS/AMEND and/or APPROVAL OF MINUTES

A motion was made by Dr. Lewis seconded by Dr. Vann to approve the minutes of November 2, 2002 and the amended agenda.

Motion carried.

III. REPORT FROM THE OFFICE OF THE DIRECTOR

Catherine Eden, Director of the Department of Health Services, addressed the council.

- The Legislature is having a difficult time dealing with the budget cuts
- EMS Operating Fund is not in the general fund
- Thanked the committee for the calls regarding the trauma plan
- Suggested that we spend time with our Legislators
- Not enough history yet to determine if the lowering of the DUI limit has created an increased cash flow into the EMS fund

IV. INTRODUCTION OF NEW MEMBERS/PRESENTATION OF CERTIFICATES

Dr. Sucher presented certificates of appointment to Mark Stroh and David Cheney.

V. CHAIRMAN'S REPORT

A. **Membership Update**

- There are two vacancies open on the committee
- We are in the process of filling three other positions
- Terry Shine's membership has expired so we need to replace that position on the EMSC Executive Committee before the next meeting of EMS Council
- We are in the process of filling the category for Southeastern Region with Taylor Payson

Suggested placing Taylor Payson in the open position on EMSC Executive Committee. In order to have a representative for every region.

Follow Up: Vote for One Additional EMSC Executive Committee Member

Delegated: Dr. Gemar

When: Next Agenda – April 26, 2002

- B. Impact of HB 2007 – Trauma Center Funding** – The bill authorized emergency funding of \$1,300,000 to the Tucson area trauma centers. This will not impair any existing programs or funds.

VI. COMMITTEE REPORTS

- A. Education Committee** – On November 16, 2001 the committee met but did not have a quorum. Carry items from November's agenda to the next meeting February 22, 2002.

- B. Rules Committee** – The Rules Committee met on November 16, 2002. Set priorities for rules packet which also included the revisions of Chapter 25 which were already an EMS priority because they need to be reviewed and updated by September 2002.

1) **Rules Package Prioritization**

- EMT I transition course through the exempt rulemaking process by February 2002
- Hazmat medic
- Three Part Rule package
 - Rules addressing ALS Students in a clinic setting
 - Skills requiring administrative medical direction for EMT-Bs
 - EMT Combitube
- EMT-B Curriculum
- Air Ambulance Package

A motion was made by Mark Venuti seconded by Dr. Kay Lewis that the bulleted list above be the priority listing for rules promulgation.

Motion carried.

- C. Budget Committee** – The Budget Committee did not meet.

- D. Executive Committee** – The Executive Committee did not meet.

VII. RULES STATUS REPORT

A. Progress of Rules Packages as Prioritized –

- The Bureau has agreed with the priorities of the Rules Committee
- The packet of the 1st priority will be ready by February 1, 2002
- Along with the Rules Package, the Chapter 25 revision is progressing
- We are incorporating all comments received to date into the major revision
- An independent work group is working on the Air Ambulance Package

Question as to whether EMS Council will see all the changes in the rules?

Rose Conner explained the rules process:

- After the rules are drafted, the Rules Analyst and the Bureau determine and include all stakeholders in the review. The public will have input before they go to GRRC

Mark Venuti commented about a letter that was sent out regarding enforcing rules as they are written. This item was tabled to Call to the Public.

VIII. OLD BUSINESS

- A. SB 1201 (2001) Funding Update** – SB 1201(A) because of the new legislation there was a clause put in that the money would be non-lapsing. It would not have to be all spent by June 30, 2002. The purpose of the non-lapsing funds is to have enough funds in order to maintain operations, so that the cash flow in the EMS Operating Fund would not be so low that we couldn't operate. All regions have made application for part of the provider assistance.

SB 1201(B) is \$200,000 and is lapsing. The money has to be to the providers by June 30, 2002.

IX. NEW BUSINESS

- A. Open Meeting Law Presentation** – Kevin Ray, Assistant Attorney General, gave an overview of the open meeting laws.

- Open meeting laws apply to EMS Council and its subcommittees
- A work group is a small group of the committee members and does not need an quorum
- If you are in a gathering with more than half the members of the committee be careful what you talk about
- Technological devices are considered a meeting if you have a quorum
- A majority of members meeting offsite, someone sees you, and complains to the attorney general's office
- Each body has the choice whether or not they want to allow Call to the Public
- A member of the public can ask for an item to be on the agenda
- Subcommittees are not required to keep minutes

B. Rules Committee changed from standing to ad hoc committee status– Mark Venuti expressed his concerns:

- Four times a year doesn't seem to be enough time to get the work done
- Bylaws state that the Rules Committee is a standing committee
- Does the Rules Committee still need to exist?

Kevin Ray, Attorney General, explained that a standing committee may also go to an ad hoc status. It is not legally required to change the Bylaws.

Discussion about the Director making the Rules Committee an ad hoc committee.

Catherine Eden gave clarification of the rules process:

- Rules Committee prioritize rules package
- Have the staff move forward
- Bring people together who are specialists in that area

Mark Venuti expressed concerns over the Substantive Policy Statement, a letter about enforcing rules as well as not having a standing Rules Committee to facilitate these policies.

C. Bylaws Review – Are the Bylaws congruent with Rules and Statutes?

- 1) **EMS Council -**
 - a) **Executive Committee**
 - b) **Rules Committee**
 - c) **Education Committee** – Bylaws were ratified on September 2001.
 - d) **Budget Committee**

A motion was made by Bob Ramsey seconded by Dave Samuels to refer the Bylaws to the Executive Committee.

Motion Carried.

Follow Up: EMSC Executive Committee – Next meeting
Item: Bylaws

D. Comprehensive EMS/Trauma System Efforts – Power Point presentation by Pennie Klein.

Arizona Emergency Medical Services & Trauma Plan 2002 – 2005
Draft for Comment 1/2002

- Written comments due by February 15, 2002
- Send to Judi Crume
- Will be on the website by Monday, January 28, 2002

X. GOVERNMENTAL AFFAIRS

- A. Committee Member Reports on 2002 Legislative initiatives** – SB 1070 which is identical to HB 10203 allocates \$250,000 from the EMS Operating Fund for AEDs in either new or renovated office buildings. HB2286 establishes a statewide health care system task force. There are some issues that will develop with EMS system network in rural areas.
- B. ADHS Reports** – No reports given

XI. REGIONAL COUNCIL REPORTS

- A. Central** – A copy of the report is available through the Bureau. EMS Odyssey 2002 will be held on June 13 – 14, 2002. Watch for postcard and flyer.
- B. Southern** – A copy of the report is available through the Bureau.
- C. Western** - A copy of the report is available through the Bureau.
- D. Northern**- A copy of the report is available through the Bureau.

XII. CALL TO THE PUBLIC

Kevin Ray, Assistant Attorney General, stated call to the public was addressed in A.R.S. § 38-431.01(G). He explained that at the conclusion of the open call to the public individual members of the public body may respond to criticism, may ask staff to review a matter or may ask that a matter be put on a future agenda.

XIII. TRAINING OR EDUCATIONAL ANNOUNCEMENTS

Brian Smith, Flagstaff Medical Center, commented on a memorandum dated December 7, 2001 on enforcement of current rules. He read from another letter dated January 12, 1999 stating that a signature for Administrative Medical Director for Basic EMTS was no longer going to be required.

XIV. NEXT MEETING

The next regular meeting will be held April 26, 2002.

XV. ADJOURNMENT

The meeting was adjourned at 11:30 a.m.

Approved by EMS Council on 4/26/02